

# Government of the District of Columbia

## ZONING COMMISSION



ZONING COMMISSION ORDER NO. 640

Case No. 89-17M/78-19F

October 16, 1989

Pursuant to notice, a public hearing of the Zoning Commission for the District of Columbia was held on September 28, 1989, to consider the application of the International Bank for Reconstruction and Development for modification to Condition No. 3 of Zoning Commission Order No. 274, as previously modified by Zoning Commission Order No. 280. In Order No. 274, the Zoning Commission approved a Planned Unit Development, pursuant to Chapter 24 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning. The public hearing was conducted in accordance with the provisions of Section 3022 of that Title 11 DCMR 3022.

### FINDINGS OF FACT

1. On April 12, 1979, by Order No. 274, the District of Columbia Zoning Commission granted approval of the application of the George Washington University for final approval of a Planned Unit Development ("PUD") and a related change of zoning, from R-5-C to C-3-B, for a site located in Square 121. The PUD site contains approximately 68,800 square feet, and is bounded by 19th, 20th, F, and G Streets, N.W. Zoning Commission Order No. 280, dated May 17, 1979, approved George Washington University's request to have the application processed under the new PUD regulations, and approved modifications to a number of the findings of fact and conditions set forth in Order No. 274.
2. Condition No. 3 of Zoning Commission Order No. 274, as modified by Order No. 280, provides that:

The new building on the site shall be restricted to use by the World Bank as office space and supporting accessory uses, including but not limited to library, cafeteria, or computer space. The building may also be used for a university-related purpose by George Washington University, for an international agency other than the World Bank, or for a chancery or other office

of a foreign government. The street floor of the building, along the "G" Street frontage, as shown on the plans submitted by the applicant and marked as Exhibit No. 38 of the record, and along the "F" Street frontage for a minimum depth of thirty feet from the edge of the building at the street floor, shall be used for retail and service uses permitted in a C-2 District. Specifically as shown on Exhibit 38, driveways, corridors, lobbies, elevators, stairways, the publications and public information office of the World Bank and a security office are permitted within thirty feet of "F" Street.

3. On June 20, 1989, the applicant, the International Bank for Reconstruction and Development (also known as the World Bank) filed a request to modify Condition No. 3 of Order No. 274, to allow a day care facility known as the World Bank Staff Children's Center to occupy a total of 5,600 square feet on the ground floor along the F Street frontage. Only 2,800 square feet of the proposed Children's Center is subject to the limitation contained in Condition No. 3, since the remaining 2800 square feet are located beyond the thirty-foot minimum depth specified in Condition No. 3.
4. The proposed modification will not significantly decrease the amount of retail space specified in Zoning Commission Order No. 274. The proposed modification will result in a net decrease of less than 700 square feet in the total amount of retail square footage mandated by the Zoning Commission for the building in accordance with Orders numbered 274 and 280.
5. The proposed location for the Children's Center is the only available location in the neighborhood meeting the World Bank's criteria for the Children's Center.
6. The Office of Planning, by report dated July 31, 1989, recommended that the application be approved, and noted that the desire for retail and service space on the ground floor of the subject site was an issue that was advocated by Advisory Neighborhood Commission (ANC) 2A and the D.C. Preservation League.
7. ANC 2A, a party in the original PUD, filed a letter in support of the proposed modification. The D.C. Preservation League, also a party in the original PUD case, filed a letter of no opposition to the proposed modification. There were no other parties in the original PUD case. No requests for party status were received in this modification proceeding.
8. The Executive Director of the Office of Early Childhood Development, Department of Human Services, by letter

dated June 12, 1989, supported the PUD modification.

9. The proposed use is consistent with the Comprehensive Plan, in that day care is an ancillary use necessary to support the designated office use.
10. The requested change is both reasonable and appropriate.
11. The proposed modification will not adversely affect the interest of neighboring property owners, the neighborhood, or ANC 2A.
12. The proposed relocation of the day care center will have no adverse impact on existing traffic conditions on F Street.
13. By letter dated September 29, 1989, the proposed approval of the modification of Condition No. 3 of Zoning Commission Order No. 274 was referred to the National Capital Planning Commission ("NCPC"), pursuant to D.C. Code Sec. 5-417. By letter dated October 11, 1989, the Executive Director, NCPC, reported that the proposed modification would have no adverse impact on the federal establishment or other federal interests in the National Capital, and would not be inconsistent with the Comprehensive Plan for the National Capital.
14. The proposed change is consistent with the spirit and intent of the prior approvals given by the Zoning Commission to this project in Orders numbered 274 and 280, as well as with the intent and purpose of the Planned Unit Development Regulations, and is supported by all parties to the PUD application.

#### CONCLUSIONS OF LAW

1. This application in being processed as a modification to a previously approved PUD.
2. A Child Development Center is a service use that is permitted in a C-2 District, albeit not one that is listed in 11 DCMR 721.2. Granted that the day care facility will serve children of staff members of the World Bank and the International Monetary Fund, the Commission notes that in Finding of Fact No. 19c. of Order No. 274, the Commission stated,

As to the kinds of uses permitted, the Commission believes that it is not possible to develop an all-encompassing list of uses which would be neighborhood oriented. The Commission will therefore restrict the retail uses to those

permitted in the C-2 District, which is a neighborhood shopping district.

Accordingly, approval of the day care center is consistent with the approach of the Zoning Commission in Order No. 274.

3. The PUD process is an appropriate means of controlling development of the PUD site, since control of the use and site plan is essential to insure compatibility with the neighborhood. Approval of this proposed modification is consistent with the Article 75 Covenant recorded in this case.
4. Approval of the application will further the general public welfare of the area. Approval of the proposed modification will have a positive impact on the surrounding community and is consistent with the Comprehensive Plan.
5. Approval of the modification is consistent with the spirit and intent of Zoning Commission Orders numbered 274 and 280.
6. The proposed modification will further the purposes of the PUD process, as set forth in the Zoning Regulations.

#### DECISION

In consideration of the Findings of Fact and Conclusions of Law that are set forth above, the Zoning Commission for the District of Columbia hereby orders that Condition No. 3 of Zoning Commission Order No. 274, as previously modified by Zoning Commission Order No. 280, is modified to read as follows:


3. The new building on the site shall be restricted to use by the World Bank as office space and supporting accessory uses, including but not limited to library, cafeteria, or computer space. The building may also be used for a university-related purpose by George Washington University, for an international agency other than the World Bank, or for a chancery or other office of a foreign government. The street floor of the building, along the G Street frontage, as shown on the plans submitted by the applicant and marked as Exhibit No. 38 of the record, and along the F Street frontage for a minimum depth of thirty feet from the edge of the building at the street floor, shall be used for retail and service uses permitted in a C-2 District, as well as for a child development center. Specifically as shown on Exhibit 38, driveways, corridors, lobbies, elevators, stairways, the


publications and public information office of the World Bank and a security office are permitted within thirty feet of F Street.

Vote of the Zoning Commission taken at the public hearing in Case No. 89-17M/78-19F on September 28, 1989: 3-0 (Lloyd D. Smith, Tersh Boasberg, and Maybelle Taylor Bennett to approve; John G. Parsons and William L. Ensign, not present, not voting).

This Order was adopted by the Zoning Commission at its public meeting held on October 16, 1989 by a vote of 3-0: (Lloyd D. Smith, Tersh Boasberg, and Maybelle Taylor Bennett to approve; John G. Parsons and William Ensign not voting, not having heard the case).

In accordance with the provision of 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register, that is on NOV 03 1989.

  
MAYBELLE TAYLOR BENNETT  
Chairperson  
Zoning Commission

  
EDWARD L. CURRY  
Executive Director  
Zoning Secretariat

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